



466003



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

31 MAR 1987

REPLY TO THE ATTENTION OF:

8 APR 87 8:51

RECEIVED
EPA HEADQUARTERS
HEARING CLERK

Honorable J. F. Greene
Office of Administrative Law
Judges
(A-110)
U.S. Environmental Protection
Agency
401 M. Street, SW
Washington, D.C. 20460

RE: Gary Development Co., Inc.
Docket No. RCRA-V-W-86-R-45

Dear Judge Greene:

I regret that we are unable to comply with your Order of March 3, 1987 regarding entry of stipulations due to Respondent's unwillingness to enter such stipulations.

In his letter to counsel for Complainant dated March 27, 1987, counsel for Respondent also suggests that the hearing be held at Respondent's Gary facility because the "vast majority" of documents relating to the case are located at the facility. Since, of course, Respondent submitted all documents relevant to the proceeding to Complainant and your office pursuant to your prehearing exchange order, the presence of Respondent's other business records in Gary is irrelevant to the location of the hearing. Furthermore, Complainant doubts that accommodations suitable for an adjudicative hearing exist at the Gary facility. Therefore, Complainant recommends that the hearing take place in a hearing room at the Chicago offices of the U.S. Attorney.

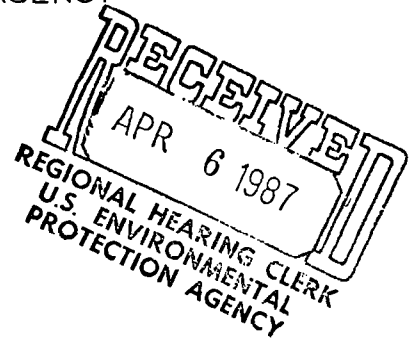
Thank you for your consideration in this matter.

Respectfully yours,

Marc M. Radell
Assistant Regional Counsel

cc: Warren D. Krebs, Esq.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



IN THE MATTER OF

Gary Development Co., Inc.


Respondent

:
:
:
:
:
:
:
:
:
:

Docket No. RCRA-V-W-86-R-45

ORDER

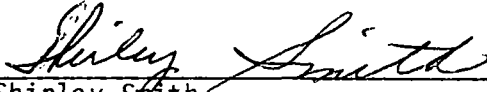
The trial in this matter will be scheduled for a location convenient to the respondent although not necessarily at the respondent's place of business.


J. F. Greene
Administrative Law Judge

Washington, D.C.
April 2, 1987

CERTIFICATE OF SERVICE

I hereby certify that the Original of this Order was sent to the Regional Hearing Clerk and copies were sent to the counsel for the complainant and counsel for the respondent on April 2, 1987.


Shirley Smith
Secretary to Judge J. F. Greene

Ms. Beverly Shorty
Regional Hearing Clerk
Region V - EPA
230 South Dearborn Street
Chicago, Illinois 60604

Marc M. Radell, Esq.
Assistant Regional Counsel
Region V - EPA
230 South Dearborn Street
Chicago, Illinois 60604

Warren D. Krebs, Esq.
Parr, Rickey, Obremsky & Morton
121 Monument Circle
Suite 500
Indianapolis, IN 46204